

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation for the purpose of establishing a list for the fiscal years 2002-2003 and 2003-2004 of existing and proposed crossings at grade of city streets, county roads or state highways in need of separation, or projects effecting the elimination of grade crossings by removal or relocation of streets or railroad tracks, or existing separation in need of alterations or reconstruction in accordance with Section 2452 of the Streets and Highways Code.

Investigation 01-07-008

SCOPING MEMO AND RULING OF ASSIGNED COMMISSIONER

No prehearing conference was held in this proceeding. This ruling is intended to satisfy the requirement of Rule of Practice and Procedure (Rule) 6.3 that the assigned commissioner issue a ruling in the form of a scoping memo to establish the projected submission date and issues to be addressed in this proceeding.

Categorization

This proceeding has been categorized as “quasi-legislative.” The preliminary categorization by the Commission has not been appealed.

Hearing Officer

As the assigned commissioner, I am the presiding officer under Rule 5(k)(3). However, the assigned administrative law judge (ALJ) acted as

presiding officer at the hearings in this matter in my absence in accordance with that Rule.

Issues

1. Whether the formula for computing the priority list adopted in this proceeding should be modified, or its application to the submitted data changed, in response to comments received from certain nominating parties.
2. What the final priority of projects nominated in this proceeding shall be for the fiscal years 2002-2003 and 2003-2004.

Procedural Schedule

The procedural schedule is that which was established by the ALJ's Ruling filed on August 31, 2001. Evidentiary hearings were held on February 25-26 and March 4 and 5 as scheduled. The proceeding shall be submitted as of April 15, 2002. In no event will the final order herein be issued later than June 30, 2002, the statutory deadline for adoption of our priority list under Streets and Highways Code Section 2452.

IT IS SO RULED.

Dated March 13, 2002, at San Francisco, California.

/s/ GEOFFREY F. BROWN

Geoffrey F. Brown
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Scoping Memo and Ruling of Assigned Commissioner on all parties of record in this proceeding or their attorneys of record.

Dated March 13, 2002, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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